

No. 9/5/84-6 Lab./8679.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Sterling Cable, plot No. 18, Sector 24, Faridabad.

Reference No. 382 of 1985

between

SHRI KUNDAN LAL, WORKMAN AND THE RESPONDENT MANAGEMENT OF M/S
STERLING CABLE PLOT NO. 18, SECTOR 24, FARIDABAD.

Present:—

Workman with Shri Balbir Singh.

None for the respondent management.

AWARD

This industrial dispute between the workman Shri Kundan Lal and the respondent management of M/s. Sterling Cable, Plot No. 18, Sector 24, Faridabad has been referred to this Court by the Hon'ble Governor of Haryana—*vide* his order No. ID/FD/148-84/38238—43, dated 16th October, 1984, under Section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication. The terms of the reference are :—

“Whether the termination of services of Shri Kundan Lal was justified and in order ?
If not, to what relief is he entitled ?”

According to the demand notice the workman was employed as helper since 18th July, 1982. His services were terminated on 17th May, 1984. He was not given any compensation. The factory was closed in July, 1984.

The management was proceeded *ex parte* on 11th July, 1985 as none appeared for them, though Shri R.C. Sharma had previously represented the management. In *ex parte* evidence the workman appeared as WW-1 and supported his averments. I, therefore, find that the services of the workman were illegally terminated. He is, therefore entitled to back wages from the date of termination till the date of closure of the factory. He is also entitled to closure benefit. He shall be entitled to be reinstated and when the factory starts, again. The award is given accordingly.

Dated the 5th September, 1985.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 2906, dated 30th September, 1985.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act,

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6 Lab./8681.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Sterling Cable, Plot No. 18, Sector 24, Faridabad :—

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 383 of 1984

between

SHRI RAGHU RAJ, WORKMAN AND THE RESPONDENT MANAGEMENT OF
M/S STERLING CABLE, PLOT NO. 18, SECTOR 24, FARIDABAD

Present :—

Workmen with Shri Balbir Singh.

None for the respondent management.

AWARD

This industrial dispute between the workman Shri Raghu Raj, and the respondent-management of M/s. Sterling Cable, Plot No. 18, Sector 24, Faridabad has been referred to this Court, by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/148-84/38224—29, dated 16th October, 1984 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Raghu Raj was justified and in order ? If not, to what relief is he entitled ?

According to the demand notice of the workman was employed on 18th July, 1982. His services were terminated on 17th May, 1984. He was not given any compensation. The factory was closed in July, 1984.

The management was proceeded *ex parte* on 11th July, 1985 as none appeared for them, through Shri R. C. Sharma had previously represented the management. In *ex parte* evidence, the workman appeared as WW-1 and supported his everments. I find that the services of the workman were illegally terminated. He is therefore entitled to back wages from the date of termination till the date of closure, of the factory. He is also entitled to closure benefit. He shall be entitled to be reinstated as and when the factory starts again. The award is given accordingly.

Dated 5th September, 1985.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 2908, dated 30th September, 1985

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/5/84-6Lab/8682.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Sterling Cable, Plot No. 18, Sector 24, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 380 of 1983

between

SHRI SUNEEL KUMAR, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S STERLING CABLE, PLOT NO. 18, SECTOR 24, FARIDABAD

Present :—

Workman in person with Shri Balbir Singh.
None, for the respondent-management.

AWARD

This Industrial Dispute between the workman Shri Suneel Kumar and the respondent-management of M/s Sterling Cable, Plot No. 18, Sector 24, Faridabad has been referred to this Court, by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/148-84/38224—29, dated the 16th October, 1984 under section 10(i) (c) of the Industrial Disputes Act, 1947, for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Suneel Kumar was justified and in order ? If not, to what relief is he entitled ?

According to the demand notice the workman was employed as peon since 1981. His services were terminated on 17th May, 1984. He was not given any compensation. The factory was closed in July, 1984.

The management was proceeded *ex parte* on 11th July, 1985 as none appeared for them, though Shri R. C. Sharma had previously represented the management. In *ex parte* evidence the workman appeared as WW-1 and supported his averments. Hence I find that the services of the workman were illegally terminated. He is therefore entitled to back wages from the date of termination till the date of closure of the factory. He is also entitled to closure benefit. He shall be entitled to be reinstated as and when the factory starts again. The award is given accordingly.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

Dated the 5th September, 1985.

Endst. No. 2909, dated the 30th September, 1985

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

The 25th October, 1985

No. 9/5/84-Lab. 8796. — In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s ESS. Key Textiles, 22 A, N.I.T., Faridabad.

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 459/1982

between

SHRI BANARSI YADAV, WORKMAN AND THE MANAGEMENT OF M/S ESS KAY
TEXTILES, 22A, N.I.T., FARIDABAD

Present:—

Shri Manohar Lal for the workman.

None for the management.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Banarsi Yadav workman and the management of M/s Ess Kay Textiles, 22-A, N.I.T. Faridabad, to this Tribunal for adjudication:—

Whether the termination of services of Shri Banarsi Yadav, was justified and in order?
If not, to what relief is he entitled?

2. Notices were issued to both the parties. It may be mentioned that on 26th September, 1985 *ex parte* proceedings were ordered against the Management. Shri Banarsi Yadav claimant has appeared as WW-1 and stated that he was appointed as worker in the respondent factory on 1st January, 1978 and drawing Rs. 415 per month when his service were terminated on 21st May, 1982. He further stated that no notice pay or compensation was paid to him nor any enquiry was held by the management. He also stated that he was the President of the Union and had served a demand notice, due to which he was turned out. He further stated that the factory was lying closed since July, 1982 and that notice pay and compensation etc. he given to him.

3. The testimony of WW-1 Shri Banarsi Yadav shows that he served the respondent factory from 1st January, 1978 to 21st May, 1982 and that no notice pay or compensation was given to him when his services were terminated. Consequently, the provisions of Section 25-F of the Industrial Disputes Act, 1947, have not been complied with. Since the factory is lying